

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 7-12 were pending prior to this Office Action. Through this reply, claims 13-20 have been added. Therefore, claims 7-20 are pending. Claims 7 and 10 are independent.

§ 103 Rejection – Fukada

Claims 7-12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fukada et al. (EP 0 838 767 A2). Applicant respectfully traverses.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. § 2142*. One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. § 706.02(j)*. Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In the Office Action, the Examiner relies upon column 7, lines 18-39 to allegedly teach the features of the invention. For example, the Examiner alleges that the relied upon portion teaches the feature reading out a last file-number of file-numbers for image files that have been recorded on the second recording medium. Contrary to the Examiner's allegations, the cited portion of Fukada cannot be so relied upon.

More specifically, Fukada states "when the present invention is carried out by a system in a laboratory ... a printing system, for example, can be made to comprise a counter for counting a reception number. Every time one memory card is accepted, the counter is incremented and the

identifying number is assigned by a combination of the reception number and a serial number.”

In other words, Fukada merely discloses that a counter is kept to count the number of memory cards loaded into the printing system. Based on the count number - i.e. the reception number – in combination with a serial number, an identifying number may be expressed. As disclosed, the identifying number uniquely identifies the particular file number.

In Fukada, an example of expressing the identifying number is provided. The identifying number includes a four digit reception number, a three digit serial number, and four digit file number. Whenever a new memory card is inserted, only the reception number is incremented. In other words, Fukada merely discloses accessing the count number through the counter and incrementing the result.

Fukada is silent regarding whether a last file number of the image files that have been recorded on the second loadable and removable recording medium is readout as featured in independent claims 7 and 10. Therefore, independent claims 7 and 10 are distinguishable over Fukada.

Claims 8-9 and 11-12 depend from independent claims 7 and 10 directly or indirectly. Therefore, for at least the reasons stated above with respect to independent claims 7 or 10, these dependent claims are also distinguishable over Fukada.

Applicant respectfully requests that the rejection of claims 7-12 based on Fukada be withdrawn.

New Claims

Claims 13-20 have been added through this reply. All new claims are believed to be distinguishable over Fukada. For example, claims 13-16 and 17-20 depend from independent claims 7 and 10, respectively. Therefore, for at least the reasons stated with respect to independent claims 7 and 10, the new claims are also distinguishable over Fukada. Applicant respectfully requests that the new claims be allowed.

Conclusion

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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